

Mieles, Janette

From: McChesney, Dennis
Sent: Tuesday, December 17, 2013 9:01 AM
To: Taylor, Karen
Subject: FW: Status of Revised UST Regs - DPNR
Attachments: Draft UST Regs.NBJ.MAM. 11.7.2013-redlined.doc

Karen - here's a redlined version which should make the review easier.

Dennis J. McChesney, Ph.D., MBA
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-----Original Message-----

From: Magdalene Morancie [mailto:Magdalene.Morancie@dpnr.vi.gov]
Sent: Tuesday, December 17, 2013 8:35 AM
To: McChesney, Dennis
Subject: RE: Status of Revised UST Regs - DPNR

The redlined version is re-attached to aid in your review. Thank you.

From: McChesney, Dennis <McChesney.Dennis@epa.gov>
Sent: Tuesday, December 17, 2013 8:13 AM
To: Magdalene Morancie
Subject: RE: Status of Revised UST Regs - DPNR

Magdalene

Thank you - the redline didn't come through on the version that you sent last Friday. As for the extension, I am inquiring but I am not at all optimistic that it will be approved since the date was negotiated with DPNR and approved by the Office of Underground Storage Tanks (OUST). We are working very hard to get you comments (expect very few) within a day or 2 and DPNR should likewise work to meet the terms and conditions of the grant.

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-----Original Message-----

From: Magdalene Morancie [mailto:Magdalene.Morancie@dpnr.vi.gov]
Sent: Tuesday, December 17, 2013 8:04 AM
To: McChesney, Dennis
Subject: RE: Status of Revised UST Regs - DPNR

Good Morning:

My apologies for the delayed response but I was on St. Croix yesterday and all my work was off-site and on-location. The last version of the draft regulations before the date changes is attached for your review. Also, DPNR will be requesting an extension on the December 31, 2013, deadline, can you please tell me who the request should be addressed to. Thank you for all your assistance.

Sincerely,
Magdalene

From: McChesney, Dennis <McChesney.Dennis@epa.gov>
Sent: Monday, December 16, 2013 9:08 AM
To: Magdalene Morancie; Syed Syedali
Subject: RE: Status of Revised UST Regs - DPNR

Magdalene - Do you have a copy of the document from before the changes were made? I need to compare the documents.

Thank you.

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-----Original Message-----

From: Magdalene Morancie [mailto:Magdalene.Morancie@dpnr.vi.gov]
Sent: Friday, December 13, 2013 4:18 PM
To: McChesney, Dennis; Syed Syedali
Subject: RE: Status of Revised UST Regs - DPNR

Mr. McChesney:

The draft regulations are attached without the retroactive dates. All changes are on pages 20, 30, 39, 46, and 55-56. The changes are redlined. Please contact me with any questions.

Enjoy your weekend,
Magdalene

From: McChesney, Dennis <McChesney.Dennis@epa.gov>

Sent: Friday, December 13, 2013 11:38 AM
To: Magdalene Morancie; Syed Syedali
Cc: Halley, Margaret; Nappi, Gina
Subject: RE: Status of Revised UST Regs - DPNR

Thank you, Magdalene - I believe that we may have previously commented that for past due dates it would be acceptable to delete the data and substitute present tense e.g. "....all USTs shall...."

Do you expect to have promulgation by the deadline stated in the grant terms and conditions? If not you may suffer loss of 25% of the funds allocated to the grant.

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-----Original Message-----

From: Magdalene Morancie [mailto:Magdalene.Morancie@dpnr.vi.gov]
Sent: Friday, December 13, 2013 11:28 AM
To: Syed Syedali; McChesney, Dennis
Cc: Halley, Margaret; Nappi, Gina
Subject: RE: Status of Revised UST Regs - DPNR

Mr. McChesney:

The latest version of the draft regulations has been discussed with the AG's office. An unresolved issue concerns the sections of the regulations with compliance dates that have already passed (1998). The argument has been that the compliance dates from 1998 are in the Federal Regulations and have been enforced in the Territory from its promulgation. I submitted a summary document to the AG's office yesterday, delineating all changes in the draft regulations and providing clarification on items that required clarification to facilitate review. Feel free to contact me with any questions or concerns.

Sincerely,
M.Morancie.

From: Syed Syedali
Sent: Friday, December 13, 2013 10:13 AM
To: McChesney, Dennis; David Alvaro Simon
Cc: Halley, Margaret; Nappi, Gina; Magdalene Morancie
Subject: RE: Status of Revised UST Regs - DPNR

Hi Dennis,
David Simon has retired - the new acting Director is Magdalene Morancie. As you know, she is also the Legal Counsel and has worked on the UST regs with the AG's office.
I am forwarding your inquiry for a status update to her.

Syed A. Syedali

Program Manager, DPNR-DEP
45 Mars Hill, F'sted, VI 00841
p: 340 773-1082 ext. 2276
f: 340 692 9794

From: McChesney, Dennis <McChesney.Dennis@epa.gov>
Sent: Friday, December 13, 2013 10:01 AM
To: David Alvaro Simon
Cc: Halley, Margaret; Nappi, Gina; Syed Syedali
Subject: Status of Revised UST Regs - DPNR

David - we have not received a status update for some time. A term and condition in DPNR's FY'13 grant states that "EPA intends to initially fund 75% of the 2013 federal fiscal fund allocations upon award of the assistance agreement, with the remaining 25% conditional on the Virgin Islands full adoption of their proposed EPAAct regulations by 12/30/13."

Will the regulations be promulgated by the end of December, 2013?

Thank you,

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